

Memo to: Joint Legislative Commission on Governmental Operations

From: Carolin Bakewell, Counsel
N.C. Dental Board

Date: February 26, 2013

Re: Request for Consultation

Please accept this Memorandum and attachments as the N.C. Dental Board's request pursuant to N.C. Gen. Stat. 150B-3.1 for a consultation regarding rules imposing licensure fees that have been proposed by the Dental Board.

First, the Board proposes to amend 21 NCAC 16M .0101 to provide that the license fee for individuals seeking licensure as a dentist by military endorsement is \$395.

Second, the Board proposes to adopt 21 NCAC 16G .0107 and 16 .0108 to provide that the fee for dental hygienists seeking licensure by military endorsement is \$265.

The statute allowing dentists and hygienists to seek licensure by military endorsement permits the Dental Board to impose a license fee. See N.C. Gen. Stat. 93B-15.1(a)(4).

The Board requests the fee regulations to help defray the expenses incurred by the Dental Board in conducting character and fitness investigations that are required of all applicants.

Copies of the rules with the proposed amendments are attached. We are submitting these rules to the Office of Administrative Hearings/Rules Division for publication in the Register today.

Thank you for your consideration of this request.

Cc: Commission Assistant
General Assembly Fiscal Research Division

21 NCAC 16M. 0101 is proposed for amendment as follows:

21 NCAC 16M .0101 DENTISTS

(a) The following fees shall be payable to the Board:

(1)	Application for general dentistry license	\$ 395.00
(2)	Renewal of general dentistry license	\$ 289.00
(3)	Application for instructor's license or renewal thereof	\$ 140.00
(4)	Application for provisional license	\$ 100.00
(5)	Application for intern permit or renewal thereof	\$ 150.00
(6)	Certificate of license to a resident dentist desiring to change to another state or territory	\$ 25.00
(7)	Duplicate license	\$ 25.00
(8)	Reinstatement of license	\$ 225.00
(9)	Fee for late renewal of any license or permit	\$ 50.00
(10)	Application for license by credentials	\$2000.00
(11)	Application for limited volunteer dental license	\$ 100.00
(12)	Renewal of limited volunteer dental license	\$ 25.00
(13)	Board conducted examination processing fee	\$ 805.00
(15)	Each limited volunteer dental license annual renewal	\$50.00
(16)	Application for license by endorsement	\$395.00

(b) Each dentist renewing a license to practice dentistry in North Carolina shall be assessed a fee of forty dollars (\$40.00), in addition to the annual renewal fee, to be contributed to the operation of the North Carolina Caring Dental Professionals.

*History Note: Authority G.S. 90-28; 90-39; 90-48; 150B-19(5); 93B-15.1;
Eff. September 3, 1976;
Readopted Eff. September 26, 1977;
Amended Eff. August 1, 1998; December 1, 1994; May 1, 1989; March 1, 1988; May 1,
1987;
Temporary Amendment Eff. October 28, 1998;
Amended Eff. August 1, 2000;
Temporary Amendment Eff. January 1, 2003;
Amended Eff. May 1, 2011; April 1, 2006; March 1, 2004; January 1, 2004; April 1,
2003.*

21 NCAC 16G. 0107 is proposed for adoption as follows:

**21 NCAC 16G . 0107 DENTAL HYGIENE LICENSURE BY ENDORSEMENT BASED ON
MILITARY SERVICE**

(a) An applicant for a dental hygiene license by endorsement based on his/her status as an active member of the U.S. military shall submit to the Board:

- (1) a completed, signed and notarized application form provided by the Board; and
- (2) an application fee in the amount of two hundred sixty-five dollars (\$265) and;
- (3) written evidence demonstrating that the applicant has been awarded a military occupational specialty in dental hygiene and that the applicant:
 - A) has completed a military program of training substantially equivalent to or greater than the requirements for licensure as a dental hygienist in North Carolina; and
 - B) has completed testing or equivalent training and experience substantially equivalent to or greater than that required for licensure as a dental hygienist in North Carolina; and
 - C) has engaged in the active practice of dental hygiene as defined by G.S. 90-221 for at least 1,500 hours per year during at least two of the five years preceding the date of application; and
- (4) a statement disclosing and explaining any disciplinary actions, investigations, malpractice claims, state or federal agency complaints, judgments, settlements, or criminal charges.

(b) All information required must be completed and received by the Board office as a complete package with the initial application and application fee. Incomplete application packages shall be returned to the applicant.

(c) All applicants shall submit to the Board a signed release form, completed Fingerprint Record Card, and other form(s) required to perform a criminal history check at the time of the application.

History Note: Authority G.S. 90-28; 90-36;93B-15.1;

Adopted

21 NCAC 16G. 0108 is proposed for adoption as follows:

**21 NCAC 16G .0108 DENTAL HYGIENE LICENSURE BY ENDORSEMENT BASED ON
STATUS AS MILITARY SPOUSE**

(a) An applicant for a dental hygiene license by endorsement based on the applicant's status as a current spouse of an active member of the U.S. military shall submit to the Board:

- (1) a completed, signed and notarized application form provided by the Board; and
- (2) a two hundred sixty-five dollars (\$265) application fee; and
- (3) written evidence demonstrating that the applicant is a military spouse and that such applicant:
 - A) holds a current dental hygiene license from another jurisdiction whose standards for licensure are substantially equivalent to or greater than those required for licensure as a dental hygienist in North Carolina; and
 - B) has engaged in the active practice of dental hygiene as defined by G.S. 90-221 for at least 1,500 hours per year during at least two of the five years preceding the date of application; and
- (4) a statement disclosing and explaining any disciplinary actions, investigations, malpractice claims, state or federal agency complaints, judgments, settlements, or criminal charges.

(b) All information required must be completed and received by the Board office as a complete package with the initial application and application fee. Incomplete application packages shall be returned to the applicant.

(c) All applicants shall submit to the Board a signed release form, completed Fingerprint Record Card, and other form(s) required to perform a criminal history check at the time of the application.

History Note: Authority G.S. 90-28; 90-36;93B-15.1;

Adopted

